

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of)
the Licenses to Conduct Gambling Activities of:)
Hi Lo Country Bar & Grill)
Concrete, Washington,)
Licensee.)

NO. CR 2011-01528

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

I.

The Washington State Gambling Commission issued Hi Lo Country Bar & Grill, organization number 00-22122 the following licenses:

- Number 05-20911, authorizing Class "A" Punchboard Pull-Tab activity; and
- Number 65-07291, authorizing Class "D" Public Card Room activity.

The licenses expire on March 31, 2012, and were issued subject to the licensee's compliance with state gambling laws and regulations.

II.

David Trujillo, Deputy Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) In February 2011, Hi Lo Country Bar & Grill received a written warning from Commission staff for failure to submit its third and fourth quarters 2010 punchboard/pull-tab activity report. The written warning notified the licensee that failure to submit an activity report may lead to the suspension or revocation of its gambling license.
- 2) The activity report was due at our administrative office by January 30, 2011. However, the activity report was never received, in violation of WAC 230-14-284(2).
- 3) On August 15, 2011, a Commission Special Agent (agent) issued a Notice of Violation and Settlement (NOVAS)¹ to the licensee for failing to timely submit its punchboard/pull-tab activity report for the third and fourth quarters of 2010. However, the licensee failed to pay the NOVAS.
- 4) Hi Lo Country Bar & Grill has also failed to submit its punchboard/pull-tab activity report for the first and second quarters of 2011. The activity report was due at our administrative office by July 30, 2011. However, the activity report was never received, in violation of WAC 230-14-284(2).

¹ A NOVAS identifies the violation, and in this case, gives the recipient the opportunity to pay a fine and submit its delinquent report to settle the matter.

5) Previously, Hi Lo Country Bar & Grill failed to timely submit its punchboard/pull-tab activity report for the first and second quarters of 2010. The activity report was due at our administrative office by July 30, 2010; however, the report was not received until August 27, 2010.

6) Hi Lo Country Bar & Grill's repeated failure to submit its activity reports demonstrates the licensee's willful disregard for complying with state administrative rules. Therefore, grounds exist for the suspension or revocation of Hi Lo Country Bar & Grill's licenses to conduct gambling activities, based on RCW 9.46.075(1) and WAC 230-03-085(1), (3) and (7).

RCW 9.46.075 Denying, suspending, or revoking a license or permit

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsection applies.)

(1) Violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

WAC 230-03-085 Denying, suspending, or revoking a license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level; or

(7) Fails to provide us with any information required under Commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us.

WAC 230-14-284 Activity reports for punchboard and pull-tab licensees

Punchboards and pull-tab licensees must submit an activity report to the Commission. Licensees must complete the report in the format we require and must:

(The following subsections apply.)

(1) Cover the periods: (a) January 1 through June 30; and (b) July 1 through December 31; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period.

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Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

DETR

SUBSCRIBED AND SWORN TO before me
this 27 day of January, 2012.

Michelle J. Ravicour
NOTARY PUBLIC in and for the State of
Washington residing at Thurston County
My commission expires on 10-19-15

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 27 day of January 2012

Maureen
Pritchett



the following information is being provided to you for your information and is not intended to be used for any other purpose.

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STATE OF WASHINGTON

COUNTY OF THURSTON

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears to me.

DAVID TRIMBLE, DEPUTY CLERK

NOTARY PUBLIC, State of Washington

My commission expires on 10-18-18



STATE OF WASHINGTON)
COUNTY OF THURSTON)

I hereby certify that I have this day served a copy of the document upon all parties to the proceeding by mailing a copy thereof, properly addressed to each party to the proceeding, by regular and certified mail to each party to the proceeding, and by first class mail to each party to the proceeding.

Dated at Olympia, Washington this _____ day of _____, 2018.

Washington State Gambling Commission
Communications and Legal Department